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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,172	01/26/2004	Christopher Mitchell	S753 0001	6706

720 7590 02/06/2006

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EXAMINER	
NGUYEN, PHUNG	

ART UNIT	PAPER NUMBER
2632	

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/763,172	MITCHELL ET AL.	
	Examiner	Art Unit	
	Phung T. Nguyen	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *01/26/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claim 28, line 1, "the request signal" lacks antecedent basis.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-8, 10-12, 14-18, 21, and 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andrews (U.S. Pat. 5,757,271) in view of Sorriaux (U.S. Pat. 6,472,986).

Regarding claim 1: Andrews discloses portable computer and method of providing security for an electronic device comprising a disturbance detection mechanism comprising one or more sensors configured to generate a disturbance signal upon disturbance of an item being monitored; an alarm connected to be triggered by the disturbance signal; a receiver configured to receive a wireless signal from a remote unit (fig. 1, col. 4, lines 8-16). Andrews does not specifically teach an alarm inhibition mechanism connected to selectively inhibit operation of the alarm, the alarm inhibition mechanism including a mechanism responsive to signals from the remote unit received at the receiver to automatically inhibit the alarm if the received signals indicate that the remote unit is nearby as claimed. However, Sorriaux discloses device for

signaling spatial separation or closeness beyond or within a predetermined limit which comprises the alarm inhibition mechanism connected to selectively inhibit operation of the alarm, the alarm inhibition mechanism including a mechanism responsive to signals from the remote unit received at the receiver to automatically inhibit the alarm if the received signals indicate that the remote unit is nearby (fig. 1, col. 4, lines 1-12). Therefore, it would have been obvious to the skilled artisan to employ the teaching of Sorriaux in the system of Andrews to automatically inhibit the alarm if the received signals indicate that the remote unit is nearby which is an advantage.

Regarding claim 2: Sorriaux discloses wherein the disturbance detection mechanism, alarm, receiver and alarm inhibition mechanism are packaged in a base unit and the system comprises a lock for attaching the base unit to the item being monitored as seen in figure 1.

Regarding claim 3: Andrews inherently discloses a connector for attaching the base unit to a security slot of the item (fig. 2, col. 3, lines 15-17).

Regarding claim 4: Andrews discloses wherein that item comprises a computer and the base unit comprises an interface for coupling the base unit to a PC card interface of the computer as shown in figure 2.

Regarding claim 5: Andrews discloses wherein the item comprises a computer and the base unit comprises an interface for coupling the base unit to a universal serial bus port of the computer as seen in figure 2.

Regarding claim 6: Refer to claim 2 above.

Regarding claim 7: Sorriaux teaches a timer connected to delay the application of the disturbance signal to the alarm by a delay period (col. 6, lines 52-65).

Regarding claim 8: Sorriaux discloses wherein the base unit is configured to detect DISABLE signals originating at the remote unit and to disable the alarm upon receipt of a DISABLE signal (col. 2, lines 31-37).

Regarding claim 10: Andrews discloses wherein the base unit is configured to detect OFF signals originating at the remote unit and to turn itself off upon receipt of an OFF signal (col. 2, lines 55-56).

Regarding claim 11: Andrews discloses wherein the receiver comprises a radiofrequency receiver (col. 2, lines 64-67).

Regarding claim 12: Andrews and Sorriaux do not teach wherein the alarm inhibition mechanism is configured to inhibit the alarm while the strength of the wireless signal exceeds the threshold. Since Sorriaux teaches comparing strength of the wireless signal to a threshold (col. 4, lines 5-7), it would be obvious to the skilled artisan to recognize that the system of Sorriaux can also configure to inhibit the alarm while the strength of the wireless signal exceeds the threshold.

Regarding claim 14: Sorriaux discloses wherein the alarm inhibition mechanism comprises a rnicrocontroller interfaced to the disturbance detection mechanism, alarm and receiver as seen in figure 1.

Regarding claim 15: Andrews discloses wherein the base unit lacks an external control for turning off the base unit (col. 2, lines 55-56).

Regarding claim 16: Sorriaux discloses wherein the wireless signal is encoded in a manner associated with the remote unit and the base unit includes a decoder configured to decode and pass wireless signals encoded in the manner associated with the remote unit (col. 3, lines 12-15, and col. 7, lines 44-55).

Regarding claim 17: All the claimed subject matter is already discussed in respect to claim 1 above.

Regarding claim 18: Refer to claim 7 above.

Regarding claim 21: Refer to claim 8 above.

Regarding claim 24: Sorriaux discloses wherein detecting the proximity of the remote unit comprises measuring at the base unit a strength of a ranging signal transmitted by the remote unit (col. 4, lines 5-7).

Regarding claim 25: Andrews and Sorriaux do not teach adjusting a strength of the ranging signal to vary a size of a region within which the remote unit is determined to be nearby to the base unit. Since Sorriaux teaches the thresholder 244 (col. 4, lines 5-7), it would be obvious to the skill artisan to modify the system of Sorriaux for adjusting strength of the ranging signal to vary a size of a region within which the remote unit is determined to be nearby to the base unit if desired.

Regarding claim 26: Andrews discloses wherein detecting the proximity of the remote unit comprises detecting at the base unit a ranging signal transmitted by the remote unit (col. 4, lines 13-16).

Regarding claim 27: Sorriaux discloses transmitting the ranging signal automatically upon receipt at the remote unit of a request signal from the base unit (col. 7, lines 44-55).

Regarding claim 28: Refer to claim 27 above.

Regarding claim 29: Refer to claim 25 above.

4. Claims 9, 13, 19, 20, 22, 23, 30, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andrews (U.S. Pat. 5,757,271) in view of Sorriaux (U.S. Pat. 6,472,986) and further in view of Stoyka (U.S. Pat. 5,552,759).

Regarding claim 9: Andrews and Sorriaux do not teach wherein the base unit comprises a transmitter and is configured to transmit a notification signal upon occurrence of the disturbance signal. However, using the transmitter to transmit a notification signal upon occurrence of the disturbance signal is old and well known in the art as taught by Stoyka (see abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the technique of Stoyka in the system of the combination in order to produce the warning signal to the user so that the use of the device would be extended.

Regarding claim 13: Refer to claim 9 above.

Regarding claim 19: Refer to claim 9 above.

Regarding claim 20: Refer to claim 9 above.

Regarding claim 22: Refer to claim 13 above.

Regarding claim 23: Refer to claim 13 above.

Regarding claim 30: Refer to claim 23 above.

Regarding claim 31: Stoyka discloses wherein detecting the proximity of the base unit to the remote unit comprises exchanging one or more radio frequency signals between the base unit and the remote unit and the method comprises varying a frequency of the radio frequency signals according to a frequency-hopping algorithm (col. 5, lines 28-39).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Choi [U.S. Pat. 5,317,304] discloses programmable microprocessor based motion-sensitive alarm.

b. Anderson [U.S. Pat. 3,988,724] discloses theft alarm.

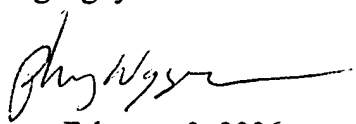
c. Eckstein et al. [U.S. 2001/0040507] disclose radio frequency detection and identification system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday, with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Phung Nguyen



Date: February 3, 2006